05-00

Customer Number: 000959

NTINUATION APPLICATION T DIVISIONAL UNDER RULE 1.53(b) (former Rule 1.60)

NSMITTAL FORM

DOCKET NUMBER	ANTICIPATI OF THIS API	ED CLASSIFICATION PLICATION:	PRIOR APPLICATION SERIAL NUMBER: 09/439,165	PRIOR APPLICATION FILING DATE: NOVEMBER 12, 1999
MNI- 062CP2DV1	CLASS:	SUBCLASS:	EXAMINER:	ART UNIT:
ASSISTANT C BOX PATENT WASHINGTO	APPLICATIO	ER FOR PATENTS ON	3	U.S. P 587111 62/00
		CERTIFICATION U	NDER 37 CFR 1.10	C53 69 69 66

CERTIFIC	CATION UNDER 37 CFR 1.10	[三
Date of Deposit: June 2, 2000	Mailing Label Number: EL 266 739 353 US	
being deposited with the United States Postal S	st and the documents referred to as attached therein are Service on the date indicated above in an envelope as ce under 37 CFR 1.10 and addressed to the Assistant tion, Washington, D.C. 20231.	
Larry Taylor Name of Person Mailing Paper	Signature of Person Mailing Paper	

Dear Sir:

This is a request for filing a □ continuation ☒ divisional application under 37 CFR 1.53(b), of pending prior application serial no. 09/439,165 filed on November 12, 1999, of Rory A.J. Curtis entitled NOVEL MEMBERS OF THE CAPSAICIN/VANILLOID RECEPTOR FAMILY OF PROTEINS AND USES THEREOF.

- Enclosed is a copy of the latest inventor signed application, including the oath or declaration as originally filed. The copy of the enclosed papers is as follows:
 - ▼ 72 page(s) of specification
 - ✓ 4 page(s) of claims
 - 1 page(s) of abstract
 - 35 sheet(s) of drawing (Figures 1-17)
 - ∑ 5 page(s) of an executed declaration and power of attorney.

I hereby verify that the attached papers are a true copy of the prior complete application serial no. 09/439,165 as originally filed on November 12, 1999

- A verified statement to establish small entity status under 37 CFR 1.9 and 1.27, a copy of which is enclosed, was filed in the prior application and such status is still proper and desired (37 CFR 1.28(a)).
- ▼ The filing fee is calculated below:

		NUMBER OF CLAIMS FILED	1				NUMBER EXTRA
TOTAL	•	50	MINUS	**	20	-	30
INDEP.		6	MINUS	***	3	-	3
■ MULTIPLE DEPENDENT CLAIMS							

SMALL ENTITY

SWIALL LIVITI		
RATE	FEE	
x 9 =	\$.00	
x 39 =	\$.00	
+130 =	\$.00	
BASIC FEE	\$.00	
TOTAL	\$0.00	

OTHER THAN A

<u>OR</u>

<u>OR</u>

SMALL ENTITY		
RATE	FEE	
x 18 =	\$540.00	
x 78 =	\$234.00	
+ 260 =	\$260.00	
BASIC FEE	\$690.00	
TOTAL	\$1724.00	

MNI-062CP2DV1 Page 2 of 3 In the Commissioner is hereby authorized to charge any additional fees which may be required, or credit any Account No. 12-0080. A duplicate copy of overpayment, to D sheet is enclosed. A check in the amount of \$1724.00 is enclosed for payment of the filing fee. ☐ Cancel in this application original claims of the prior application before calculating the filing fee. (At least one original independent claim must be retained for filing purposes.) 7. A preliminary amendment is enclosed. (Claims added by this amendment have been properly numbered consecutively beginning with the number next following the highest numbered original claims in the prior application.) Amend the specification by inserting before the first line the sentences: "This application is a divisional application of serial no. 09/439,165 filed on November 12, 1999, pending. The contents of all of the aforementioned application(s) are incorporated herein by reference." Please abandon said prior application as of the filing date accorded this application. A duplicate copy of this transmittal is enclosed for filing in the prior application file. (May be used if signed by person authorized by §1.138 and before payment of base issue fee.) 10.

Transfer the drawings from the pending prior application to this application. 11.

Priority of application serial no. filed on is claimed under 35 U.S.C. §119. ☐ The certified copy has been filed in prior application serial no. _____ filed on ____ ☐ The certified copy will follow. 12.

The prior application is assigned of record to month extension of time has been submitted in the parent application Serial No. in order to establish copendency with the present application. 14. Also enclosed is an Associate Power of Attorney (including Appendix A). 15. The power of attorney in the prior application is to Amy E. Mandragouras The power appears in the original papers in the prior application. Since the power does not appear in the original papers, a copy of the power in the prior application is enclosed. A new power has been executed and is attached. 16. Address all future communications (May only be completed by applicant, or attorney or agent of record)

> Lahive & Cockfield, LLP 28 State Street Boston, Massachusetts 02109

to Amy E. Mandragouras at Customer Number: 000959 whose address is:

17. Any requests for extensions of time necessary in a parent application for establishing copendency between this application and a parent application are hereby requested and the Commissioner is authorized to charge any fee associated with such an extension to Deposit Account No. 12-0080.

18.
Pursuant to 37 CF

to be identical witl

1(e), the computer readable form of the se e listing for this new application is omputer readable form of application serial. 09/439,165. Please use the

computer readable form of application serial no. 09/439,165 in lieu of filing a duplicate computer readable form in this application. Pursuant to 37 CFR 1.821(f), the content of the paper copy of the sequence listing

••	puter readable form of application serial no. <u>09/439,165</u> are the same.
June 2, 2000 Date	Maria C. Laccotripe, Ph.D. Agent for Applicant Limited Recognition Under 37 C.F.R. 10.9(b)
LAHIVE & COCKFIELD, LLP 28 State Street Boston, Massachusetts 02109 Tel. (617) 227-7400	☐ inventor(s) ☐ filed under §1.34(a) ☐ assignee of complete interest ☑ attorney or agent of record